

REMARKS

Upon entry of the present Amendment the Claims under consideration are 1 -12 and 15-23. Claims 13 and 14 have been cancelled hereby. Applicants have hereby amended independent Claim 1 to more particularly point out and distinctly claim that the non-contact means includes a light source beam placed on a material contacting surface of the ultrasonic horn. The subject matter of the added limitation originally appears in Claim 3 and does not represent new matter. Claim 2 has been amended to independent form incorporating the limitations of original Claim 1. Claim 12 has been amended to incorporate the subject matter of original Claims 13 and 14, which are hereby cancelled. Claim 23 has been newly added to present an independent claim further limiting the subject matter of the original Claim 12 to a combination with a non-contact means including a light source beam placed on a material contacting surface of the ultrasonic horn. Claims 15 and 20-22 have been amended to change their dependency. Claims 3, 5, 17 and 18 have been amended to correct clerical errors in the original and/or provide terms having proper antecedent basis. The Detailed Action of 02 August 2004 will now be addressed with reference to the headings and any paragraph numbers therein.

Allowable Subject Matter

Per page 5 of the Detailed Action, Claims 18 and 19 have been indicated as being allowable if rewritten to overcome the 35 USC §112 rejections. It is believed that the amendments to their base Claim 12 have obviated all rejections of these claims and that they have been placed in condition for allowance.

Claims 2-8, 10-11, 14, 16 and 20-22 have been indicated as being allowable if rewritten in independent form to incorporate the limitations of the base

claims and all intervening claims. Independent Claims 2 and 12 (14) have been so amended, per the above discussion. It is therefore believed that each of these claims and the claims dependent therefrom have been placed in condition for allowance.

Claim Rejections -35 USC §102

Per page 2 of the Detailed Action, Claims 1, 9, 12, 13, 15 and 17 stand rejected as anticipated by Okamoto (JP-61022641).

Per page 3 of the Detailed Action, Claims 1, 9, 12, 13, 15 and 17 stand rejected as anticipated by Kajiwara *et al.* (U.S. Patent 5,431,324, hereinafter Kajiwara).

Generally it is noted that neither of Okamoto or Kajiwara teach a non-contact sensing beam of light shown onto the surface of the horn which contacts the material being bonded. Therefore it is believed that independent Claims 1 and 23, which contain a limitation to this effect, and Claim 9 which is dependent from Claim 1, are also allowable.

Claim 12 has been placed in condition for allowance by combining the limitations of Claim 13 into Claim 12 and further incorporating the limitations of the allowable Claim 14. Claims 15 and 17 are dependent from the amended Claim 12.

For all the foregoing reasons, the Claims as presently amended are believed to be allowable over the art of record. A notice to that effect is earnestly solicited.

The Examiner is invited to call Applicant's undersigned attorney should the Examiner feel that any issues remain after entry of the present amendment.

A check in the amount of \$88.00 is included herewith for the later presentation of independent Claim 23.

Favorable consideration is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roland W. Norris". The signature is fluid and cursive, with the first name "Roland" being the most prominent.

Roland W. Norris
Registration No. 32,799

Pauley Petersen & Erickson
2800 West Higgins Road; Suite 365
Hoffman Estates, Illinois 60195
TEL (847) 490-1400
FAX (847) 490-1403